

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Adv. Pro. No. 08-01789 (CGM)

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

SIPA LIQUIDATION

(Substantively Consolidated)

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Chapter 7 Estate of  
Bernard L. Madoff,

Adv. Pro. No. 10-05353 (CGM)

Plaintiff,

v.

NATIXIS S.A. and TENSYR LTD.,

Defendants.

**ORDER DENYING DEFENDANT NATIXIS S.A.'S  
MOTION TO DISMISS THE AMENDED COMPLAINT**

Defendant Natixis S.A.'s (the "Defendant") motion to dismiss the Amended Complaint under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(2) and 12(b)(6) (the "Motion," ECF No. 198) was heard before the Court on October 18, 2023 (the "Hearing," ECF No. 227). The Court has considered the Motion, the papers filed in support of (ECF Nos. 199–

200, 214) and in opposition to the Motion (ECF Nos. 209–10), the Amended Complaint (ECF No. 193), and the statements of counsel at the Hearing, and the Court has issued its Memorandum Decision Denying Defendant’s Motion to Dismiss, dated November 2, 2023 (the “Decision,” ECF No. 228). Based on the record in this adversary proceeding, including the Decision, **IT IS**

**ORDERED:**

1. The Motion is denied.
2. The deadline for Defendant to answer the Complaint is January 12, 2024.
3. The Court shall retain jurisdiction to implement or enforce this Order.

**Dated: November 17, 2023**  
**Poughkeepsie, New York**



/s/ **Cecelia G. Morris**

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**Hon. Cecelia G. Morris**  
**U.S. Bankruptcy Judge**